



Express Mail No. EV 449558365US

Page 1 of 2  
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JUL 28 2004

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/763,398	01/23/2004	Christen M. Anderson	660088.443C1

## CONFIRMATION NO. 4560

00500  
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVE  
SUITE 6300  
SEATTLE, WA 98104-7092

## FORMALITIES LETTER



\*OC000000012489133\*

Date Mailed: 04/29/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/30/2004 FFANAI2 00000060 10763398

02 FC:1001                    770.00 OP  
03 FC:1051                    130.00 OP  
04 FC:1201                    602.00 OP

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

1146618

0773072904 FFANAI2 00000060 10763398

01 FG-1251

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$602 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1502 for a Large Entity

- \$770 Statutory basic filing fee.
  - \$130 Late oath or declaration Surcharge.

• Total additional claim fee(s) for this application is \$602

  - \$602 for 7 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

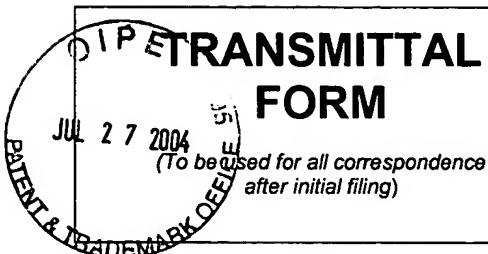
*A copy of this notice **MUST** be returned with the reply.*

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#### **Customer Service Center**

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**



<b>TRANSMITTAL FORM</b>	Application Number 10/763,398
	Filing Date January 23, 2004
	First Named Inventor Christen M. Anderson
	Art Unit 1645
	Examiner Name
	Attorney Docket No. 660088.443C1

<b>ENCLOSURES (check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <u>Supplemental ADS: Copy of Assignment; Preliminary Amendment re Sequence Listing; Declaration re Sequence Listing; CRF of Sequence Listing; Paper Copy of Sequence Listing; Copy of Notice to File Missing Parts</u>

**Remarks**

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Individual Name	Stephen J. Rosenman, Ph.D.	Customer Number <b>00500</b>
Signature		
Date	July 27, 2004	

<b>CERTIFICATE OF TRANSMISSION/MAILING</b>		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Via Express Mail	
Signature	Date:	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
#494626\_1.DOC

OIA  
JUL 27 2004  
US TRADEMARK OFFICE  
EXPRESS MAIL NO: EV449558365US  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.  
Application No. : 10/763,398  
Filed : January 23, 2004  
For : PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR  
(ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS  
THEREFOR

Art Unit : 1645  
Docket No. : 660088.443C1  
Date : July 27, 2004

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

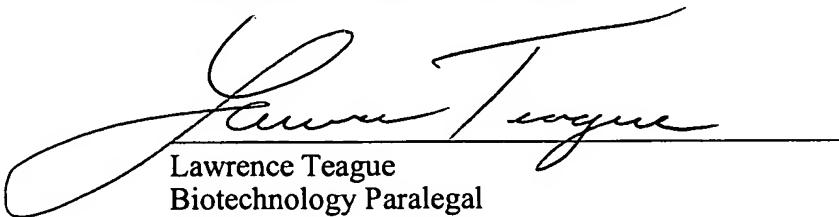
DECLARATION

Sir:

I, Lawrence Teague, in accordance with 37 C.F.R. § 1.821(f) do hereby declare that, to the best of my knowledge, the content of the paper entitled "Sequence Listing" and the computer readable copy contained within the compact disc are the same.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 27<sup>th</sup> day of July, 2004.



Lawrence Teague  
Biotechnology Paralegal

701 Fifth Avenue, Suite 6300  
Seattle, WA 98104-7092  
(206) 622-4900  
FAX (206) 682-6031

# FEE TRANSMITTAL for FY 2004

*Patent fees are subject to annual revision.*

*O I P M  
JUL 27 2004  
MARK D*

<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	TOTAL AMOUNT OF PAYMENT (\$)	1,612
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Complete if Known	
Application Number	10/763,398
Filing Date	January 23, 2004
First Named Inventor	Christen M. Anderson
Examiner Name	
Art Unit	1645
Attorney Docket No.	660088.443C1

METHOD OF PAYMENT																																															
<input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other																																															
<input type="checkbox"/> Deposit Account: Deposit Account Number <b>19-1090</b> Deposit Account Name <b>Seed Intellectual Property Law Group PLLC</b>																																															
<b>The Director is authorized to (check all that apply)</b> <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Charge any deficiencies to the above-identified deposit account.																																															
FEE CALCULATION																																															
<b>1. BASIC FILING FEE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 15%;">Large Entity</th> <th style="text-align: left; width: 15%;">Small Entity</th> <th style="text-align: left; width: 15%;">Fee Code</th> <th style="text-align: left; width: 15%;">Fee (\$)</th> <th style="text-align: left; width: 15%;">Fee Description</th> <th style="text-align: left; width: 15%;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1001</td> <td>770</td> <td>2001</td> <td>385</td> <td>Utility filing fee</td> <td><b>770</b></td> </tr> <tr> <td>1002</td> <td>340</td> <td>2002</td> <td>170</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1003</td> <td>530</td> <td>2003</td> <td>265</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1004</td> <td>770</td> <td>2004</td> <td>385</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005</td> <td>160</td> <td>2005</td> <td>80</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right; padding-right: 10px;">SUBTOTAL (1)</td> <td colspan="2" style="text-align: right; padding-right: 10px;">(\$ 770)</td> </tr> </tbody> </table>						Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid	1001	770	2001	385	Utility filing fee	<b>770</b>	1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		SUBTOTAL (1)				(\$ 770)	
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1005	160	2005	80	Provisional filing fee																																											
SUBTOTAL (1)				(\$ 770)																																											
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 15%;">Total Claims</th> <th style="text-align: left; width: 15%;">Independent Claims</th> <th style="text-align: left; width: 15%;">Multiple Dependent</th> <th style="text-align: left; width: 15%;">Extra Claims</th> <th style="text-align: left; width: 15%;">Fee from below</th> <th style="text-align: left; width: 15%;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td>15</td> <td>10</td> <td></td> <td>-20 = 00</td> <td>*</td> <td>=</td> </tr> <tr> <td></td> <td></td> <td></td> <td>-3* = 7</td> <td>*</td> <td>= 602</td> </tr> <tr> <td colspan="4" style="text-align: right; padding-right: 10px;">SUBTOTAL (2)</td> <td colspan="2" style="text-align: right; padding-right: 10px;">(\$ 602)</td> </tr> </tbody> </table>						Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid	15	10		-20 = 00	*	=				-3* = 7	*	= 602	SUBTOTAL (2)				(\$ 602)																			
Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid																																										
15	10		-20 = 00	*	=																																										
			-3* = 7	*	= 602																																										
SUBTOTAL (2)				(\$ 602)																																											

\*\*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)						
3. ADDITIONAL FEES		Small				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath		130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		
1053	130	1053	130	Non-English specification		
1812	2520	1812	2520	For filing a request for ex parte reexamination		
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action		
1251	110	2251	55	Extension for reply within first month		110
1252	420	2252	210	Extension for reply within second month		
1253	950	2253	475	Extension for reply within third month		
1254	1480	2254	740	Extension for reply within fourth month		
1255	2010	2255	1005	Extension for reply within fifth month		
1401	330	2401	165	Notice of Appeal		
1402	330	2402	165	Filing a brief in support of an appeal		
1403	290	2403	145	Request for oral hearing		
1451	1510	1451	1510	Petition to institute a public use proceeding		
1452	110	2452	55	Petition to revive – unavoidable		
1453	1330	2453	665	Petition to revive – unintentional		
1501	1330	2501	665	Utility issue fee (or reissue)		
1502	480	2502	240	Design issue fee		
1503	640	2503	320	Plant issue fee		
1460	130	1460	130	Petitions to the Commissioner		
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		
1806	180	1806	180	Submission of Information Disclosure Stmt		
8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		
1801	770	2801	385	Request for Continued Examination (RCE)		
1802	900	1802	900	Request for expedited examination of a design application		
Other fee (specify) _____						
*Reduced by Basic Filing Fee Paid						SUBTOTAL (3) (\$ 240)

SUBMITTED BY			Customer Number	
Name (Print/Type)	Stephen J. Rosenman, Ph.D.			
Signature			Date	July 27, 2004
00500				

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

#494628\_1.DOC



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

: Christen M. Anderson and Amy Karen Carroll

Application No.

: 10/763,398

Filed

: January 23, 2004

For

: PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR  
(ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS  
THEREFOR

Art Unit : 1645

Docket No. : 660088.443C1

Date : July 27, 2004

Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated April 29, 2004, please find enclosed the following documents:

- Fee
- Oath/Declaration
- Copy of Notice to File Missing Parts
- Preliminary Amendment re Sequence Listing, Declaration, CRF and Paper Copy of Sequence Listing (8 pages)

Respectfully submitted,  
 Seed Intellectual Property Law Group PLLC

Stephen J. Rosenman, Ph.D.  
 Registration No. 43,058